

1 MARC J. FAGEL (Cal. Bar No. 154425)
2 SUSAN F. LaMARCA (Cal Bar No. 215231)
3 lamarcas@sec.gov
4 ROBERT L. TASHJIAN (Cal Bar No. 191007)
5 tashjianr@sec.gov
6 WILLIAM T. SALZMANN (Cal. Bar No. 205808)
7 salzmannw@sec.gov
8

9 Attorneys for Plaintiff
10 SECURITIES AND EXCHANGE COMMISSION
11 44 Montgomery Street, Suite 2600
12 San Francisco, California 94104
13 Telephone: (415) 705-2500
14 Facsimile: (415) 705-2501
15

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION
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20 SECURITIES AND EXCHANGE COMMISSION,
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22 Plaintiff,
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24 vs.
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26 RAJ P. SABHLOK and MICHAEL PATTISON,
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28 Defendants.
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Civil Action No. C-08-4238 CRB (JL)

~~PROPOSED~~ ORDER DENYING
DEFENDANT'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL AND
EXCLUDING PROPOSED TESTIMONY OF
DEFENDANT'S RETAINED EXPERT
RICHARD J. OSTILLER

This matter came before the Court on defendant's Michael C. Pattison's Administrative Motion to File Under Seal Portions of Offer of Proof re Richard J. Ostiller. Defendant's administrative motion follows the Pretrial Conference, held on February 4, 2010, at which the Court heard and considered the parties' motions in limine. The administrative motion to seal also follow defendant's motion for an offer of proof, which the Court heard on March 19, 2010.

The Court, having considered the papers filed in support of the administrative motion to seal, the opposition of plaintiff Securities and Exchange Commission, as well as plaintiff's Motion in Limine No. 1 and defendant's opposition, hereby DENIES defendant's administrative motion to file under seal. The Court further ORDERS that the written direct testimony of defendant's retained expert, Richard J. Ostiller, is hereby stricken and that Mr. Ostiller shall be precluded from testifying at trial based on defendant's failure to comply with the Court's pretrial Order and for the reasons cited in plaintiff's Motion in Limine No. 1. CRB

IT IS SO ORDERED.

DATED: March 31, 2010

